

Art Unit: 3763

### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Heidi A. Dare on 12/17/10.

The application has been amended as follows:

In the Claims:

1. (Currently Amended) An injector device for the subcutaneous introduction of a cannula of an infusion part into the skin of a patient, said device comprising:

a housing including a back and longitudinally extending guiding means;

a slidable member longitudinally slidable within the housing;

an insertion needle unreleasably fastened to and moving together with the slidable member;

a spring located between the back of the housing and the longitudinally slidable member;

first locking means for maintaining the spring in a compressed state;

release means for disengaging the locking means; and

a pivoting member fastened to and moving together with the slidable member, the pivoting member being pivotable from a position in which the pivoting member allows for insertion of the needle into a position in which the pivoting member embraces the needle- ; wherein the pivoting member can embrace the needle when the slidable member is in a forward position and the spring is in a released state.

2. (Cancelled).

3. (Previously Presented) An injector device according to claim 1, wherein the pivoting member is placed approximately parallel to the housing when the pivoting member is in the position for embracing the needle.

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4. (Previously Presented) An injector device according to claim 1, wherein the pivoting member is oriented at a second angle with respect to the housing of between about 0° and about 180° when the pivoting member is in the position for embracing the needle.

5-15. (Cancelled).

16. (Previously Presented) An injector device according to claim 1, wherein the slidable member comprises a lattice structure.

17. (Previously Presented) An injector device according to claim 1, wherein the release means comprises two positions placed on opposite sides of the housing.

18-19. (Cancelled).

20. (Previously Presented) The injector device of claim 1, wherein the pivoting member can embrace the needle when the slidable member is in a retracted position and the spring is in a tightened state.

21. (Cancelled).

22. (Currently Amended) An injector device for inserting a portion of a cannula of a medical device into the skin of a patient, the device comprising:

a housing having a first end extending between a pair of arms;

a slidable member at least partially received in the housing and being longitudinally slidable within the housing;

an insertion member unreleasably connected to the slidable member, the insertion member being adapted for insertion of the cannula into the skin of the patient; and

a pivoting member operably connected to the slidable member, the pivoting member being pivotable from an insertion position wherein the insertion member is insertable into the skin of the patient and a covering position wherein the insertion member is at least partially covered by the pivoting member-; wherein the pivoting member can embrace the needle when the slidable member is in a forward position and the spring is in a released state.

23. (Previously Presented) The injection device of claim 22, further comprising a biasing member for biasing the slidable member with respect to the housing.

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24. (Previously Presented) The injection device of claim 23, further comprising a first locking member for releasably maintaining the biasing member in a compressed state.

***Allowable Subject Matter***

Claims 1, 3-4, 16-17, 20, 22-24 are allowed.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to QUYNH-NHU H. VU whose telephone number is (571)272-3228. The examiner can normally be reached on 6:00 am to 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nicholas Lucchesi can be reached on 571-272-4977. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Quynh-Nhu H. Vu/  
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